

The new DOE/HQ real property definition states that a portable asset is considered to be real property *“if it is affixed to the ground or if it has a permanent utility connected (i.e., if an electrician is needed to make the electrical connection), it is real property...”* With the use of the word “or” in this definition, NNSA sites would be required to consider any asset with power/utilities as real property.

As a result, I have worked with NNSA to craft a more reasonable definition (see below.)

Please provide your comments on the proposed definitions or your concurrence.

Real Property Trailers/Modulars/Containers-Railcars:

A single-wide trailer or container that is designed, engineered, and intended to be permanently affixed to the land.

- Bolted or permanently fastened to a concrete pad or foundation
- May or may not have utilities
- May or may not be occupied
- A double-wide, triple-wide, or complex of trailers/containers that must be dismantled to be moved.

Personal Property/Modulars/Containers-Railcars:

A single-wide trailer or container that is not designed, engineered, and intended to ever be permanently affixed to the land.

- May be tied down to prevent tipping
- May or may not have utilities
- May or may not be occupied
- May have wheels and/or tongue for mobility.

I think it is very important to address both real and personal property to show the difference between the two. Of equal import is to eliminate utilities and occupancy in the decision making process. Simplicity and leaving room for engineering judgment and common sense are also important.